

### **REMARKS**

Applicant appreciates the Examiner's thorough consideration provided the present application. Claims 1, 5-7 and 13 are now present in the application. Claims 1 and 5-7 have been amended. Claim 13 has been added. Claims 2-4 and 8-12 have been cancelled. Claims 1 and 13 are independent. Reconsideration of this application, as amended, is respectfully requested.

#### **Allowable Subject Matter & Additional Claim**

The Examiner has indicated that dependent claim 4 and 6 would be allowable if rewritten to include all of the limitations of the base claim and any intervening claims. Applicant greatly appreciates the indication of allowable subject matter by the Examiner.

By the present amendment, independent claim 1 has been amended to include the subject matter of allowable dependent claim 4 and intervening claim 2, as discussed hereinbelow.

In addition, the limitations of claim 6 have been written in independent form as new independent claim 13 to include its base claim 1 and intervening claim 2. Accordingly, it is believed that independent claim 13 is in condition for allowance.

#### **Claim Rejections Under 35 U.S.C. §112**

Claims 2 and 3 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. This rejection is respectfully traversed.

In view of the foregoing amendments, it is respectfully submitted that this rejection has been addressed. Accordingly, all pending claims are now definite and clear. Reconsideration and withdrawal of the rejection under 35 U.S.C. § 112, second paragraph, are therefore respectfully requested.

### **Claim Rejections Under 35 U.S.C. §§ 102 & 103**

Claims 1-3, 5, 7, 9 and 10 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Diepstraten, U.S. Patent No. 5,339,316. Claims 8, 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Diepstraten in view of Knoblock, U.S. Patent No. 4,186,379 and Wong, U.S. Patent No. 6,650,149. These rejections are respectfully traversed.

Complete discussions of the Examiner's rejections are set forth in the Office Action, and are not being repeated here.

In light of the foregoing amendments to the claims, Applicant respectfully submits that these rejections have been obviated and/or rendered moot. Without conceding to the propriety of the Examiner's rejections, but merely to timely advance the prosecution of the application, as the Examiner will note, claims 2, 3, 9 and 10 have been cancelled. In addition, as mentioned, independent claim 1 has been amended to include the subject matter of dependent claim 4 and intervening claim 2, which were indicated by the Examiner as including allowable subject matter. Accordingly, it is believed that independent claim 1 is in condition for allowance.

In addition, claims 5 and 7 depend from independent claim 1, (along with objected-to claims) and are therefore allowable based on their dependence from independent claim 1, which is believed to be allowable.

In view of the above remarks, Applicant respectfully submits that claims 1, 5 and 7 clearly define the present invention over the references relied on by the Examiner. Accordingly, reconsideration and withdrawal of the rejections under 35 U.S.C. §§ 102 and 103 are respectfully requested.

### **CONCLUSION**

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently pending rejections and that they be withdrawn.

It is believed that a full and complete response has been made to the Office Action, and that as such, the Examiner is respectfully requested to send the application to Issue.

In the event there are any matters remaining in this application, the Examiner is invited to contact the undersigned at (703) 205-8000 in the Washington, D.C. area to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Dated: July 26, 2006

Respectfully submitted,

By 

James T. Eller, Jr.

Registration No.: 39,538

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant

